

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
97-558-C1

In Re Application Of: WALKER et al.

Serial No.
10/642,978

Filing Date
August 18, 2003

Examiner
Not Yet Assigned

Group Art Unit
3627

Title: **METHOD AND APPARATUS FOR FACILITATING THE PLAY OF FRACTIONAL LOTTERY TICKETS
UTILIZING POINT-OF-SALE TERMINALS**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Supplemental Information Disclosure Statement (6 pp.);
PTO Form-1449 (5 pp.) and references cited therein (58); and
Return Receipt Postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0271**
as described below.
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Signature

Dated: January 26, 2004

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I certify that this document and fee is being deposited
on January 26, 2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.


Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

) Examiner: Not Yet Assigned
)
) Group Art Unit: 3627
)
) Attorney Docket No: 97-558-C1
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) **CUSTOMER NO.: 22927**

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For: METHOD AND APPARATUS FOR
FACILITATING THE PLAY OF
FRACTIONAL LOTTERY TICKETS
UTILIZING POINT-OF-SALE
TERMINALS

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Michael D. Brinton

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

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is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.

- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. ☒ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
09/045,386	Walker et al.	03/21/98	2786	
09/045,518	Van Luchene	03/20/98	3642	
09/107,971	VN Luchene	06/30/98	3642	

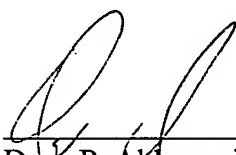
The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.


13. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

January 26, 2004
Date



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INFORMATION DISCLOSURE CITATION 				Docket Number		Serial Number	
				97-558-C1		10/642,978	
				Applicants			
				WALKER et al.			
				Filing Date		Group Art Unit	
				August 18, 2003		3627	

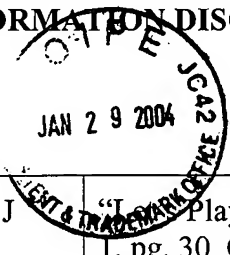
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRI ATE


	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No
	A	EP 0 085 546 A2	01/27/83	Europe				
	B	EP 0 109 189 A1	10/13/83	Europe				
	C	EP 512413 A	11/11/92	Europe (Abstract)				
	D	JP 5242363 A	09/21/93	Japan (Abstract)				
	E	WO 96/36926	11/21/96	PCT				
	F	WO 97/28510	08/07/97	PCT				
	G	WO 97/35441	09/25/97	PCT				
	H	WO 97/50064	12/31/97	PCT				

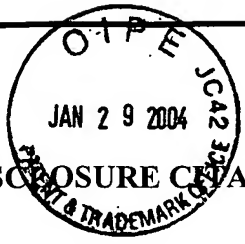
OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		
	I	Cook, Louise, "ConsumerWatch: Clip, Snip, Save", The Associated Press, March 12, 1984, Section: Business News.

EXAMINER	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION 		Docket Number 97-558-C1	Serial Number 10/642,978
		Applicants WALKER et al.	
		Filing Date August 18, 2003	Group Art Unit 3627
J	"Play the Cash Register Receipts Lottery", The New York Times, December 25, 1990, Section I, pg. 30, Col. 4, Editorial Desk.		
K	Del Rosso, Laura, "Marketel says it plans to launch air fare 'auction' in June; Marketel International Inc.", Travel Weekly, April 29, 1991, Section: Vol. 50, No. 34, pg. 1, ISSN: 0041-2082.		
L	"Philips offers customers financing through Citicorp", Health Industry Today, June 1991, Section: Vol. 54, No. 6, pg. 4, ISSN: 0745-4678.		
M	Pelline, Jeff, "Travelers Bidding On Airline Tickets SF firm offers chance for cut-rate fares", August 19, 1991, Section: News, pg. A4.		
N	Del Rosso, Laura, "Ticket-bidding firm closes its doors; Marketel International", Travel Weekly, March 12, 1992, Section: Vol. 51, No. 21, pg. 1, ISSN: 0041-2082.		
O	"Coupons get serious; supermarkets use barcodes to prevent misredemptions", Chain Store Age Executive with Shopping Center Age, October 1992, Section: Vol. 68, No. 10, pg. 68, ISSN: 0193-1199.		
P	"Winn-Dixie/The Salvation Army Report Contributions For War Against Hunger", PR Newswire, June 10, 1993, Section: Financial News.		
Q	Jones, Jeanne, "Data Readers Streamline Management; Scanner Technology Aids Retailers As Well As Plants, Wholesalers", The Houston Post, June 26, 1994, Section: Business, pg. D1.		
R	Fiorini, Phillip, "'No Place For Penny?' / Smallest coin doesn't make cents to some", USA Today, July 29, 1994, Section: News: pg. 1A.		
S	Smith, Alison, "Survey of UK Consumer Credit and Asset Finance", Financial Times, November 3, 1994, Section: pg. VI.		
T	Andreoli, Tom et al., "Cash Machines Offer a Whole Lotto Money for Withdrawal...", Crains Chicago Business, June 19, 1995, Section: News, pg. 8.		
U	"Spain: BBV launches new card", Cards International, June 22, 1995, Section: pg. 5.		
EXAMINER		DATE CONSIDERED:	
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		WALKER et al.	
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V	Knippenberg, Jim, "Psst! Will local radio empires strike back?", The Cincinnati Enquirer, July 23, 1995, Section: Tempo, pg. F01.		
W	Silverman, Gene, "Planning and using infomercial campaigns effectively.", Direct Marketing, September 1995, Vol. 58, No. 5, pg. 32(3), ISSN: 0012-3188.		
X	Brochure: "Cyber Bid", Net Fun Ltd, Copyright 1996.		
Y	McKinney, Jeff, "Merchant program could pay off for Provident", The Cincinnati Enquirer, March 24, 1996, Section: Financial, pg. E02.		
Z	Hadley, Kimberly, "Pastors praying anit-arson effort will burn bias", The Nashville Banner, July 26, 1996, Section: News, pg. A13.		
AA	Gapper, John, "NatWest reports rise in bad debt", Financial Times, July 31, 1996, Section: News: UK, pg. 09.		
BB	"Lynx Technology: Lynx to provide business leasing programme through Schroder Leasing", M2 Presswire, August 9, 1996.		
CC	Taylor, Paul, "Towards a dream market", Financial Times (London), September 4, 1996, Section: Survey - FT IT, pg. 03.		
DD	Bonnici, Joseph et al., "Consumer issues in coupon usage: An exploratory analysis", Journal of Applied Business Research, Winter 1996/1997, Section: Vol. 13, No. 1, pp. 31-40, ISSN: 0892-7626, CODEN: JPBEBK.		
EE	"Bigger Plans (Provident Bank, issuer of MeritValue customer loyalty card, plans to offer program in 25 cities in six months)", Card Fax, October 7, 1996, No. 178, Vol. 96, pg. 2.		
FF	Fickenscher, Lisa, "Amex to Start Free Rewards Program with Discounts on Merchandise", The American Banker, October 18, 1996, Section: Credit/Debit/ATMs, pg. 10.		
GG	Fitzgerald, Kate, "Amex Program Moves Loyalty to Next Level: Custom Extras Finds a Medium Customers Can't Ignore: Billing Statements", Advertising Age, November 4, 1996, Section: News, pg. 2.		
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		Applicants WALKER et al.	
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HH	Rehayem, Gilbert, "Opinion: X-Press Betting", La Fleur's Lottery World, February 7, 1997.
II	Quittner, Jeremy, "Ohio's Provident brings its discount card to Fla.", American Banker, February 11, 1997, Vol. 162, Issue 28, pg. 11, 1/3 pg.
JJ	Symons, Allene, "Lucky, Sav-on debut Reward Card.", Drug Store News, February 17, 1997, Vol. 19, Issue 4, pg. 3, 2 p., 1c. ISSN: 0191-7587.
KK	Mckeveny, Alexander, "Giving Them a Good Reason.", Bank Marketing, March 1997, Vol. 29, Issue 3, pg. 37, 4p, 4c, ISSN: 0888-3149.
LL	Singletary, Michelle, "Electronic World, Unchecked Problem?...", The Washington Post, March 4, 1997, Section: Financial, pg. C01.
MM	Fickenscher, Lisa, "Merchant: American Express Seeks to Mine Its Data on Cardholder Spending Patterns", The American Banker, March 24, 1997, Section: Credit/Debit/ATMs, pg. 20.
NN	Kelsey, John, Schneier, Bruce, "Conditional Purchase Orders", Fourth ACM Conference Computer Communication Security ACM Press, April 1997 at pp. 117-124.
OO	"Dispensing the future", Electronic Payments International, May 1997, Section: Feature, pg. 12.
PP	"Avco Financial Services", National Home Furnishing Association, (http //www homefurnish comNHFA/avco htm), download date: May 23, 1997.
QQ	Website, "Catalina Marketing Corporation", (http //catalinamktg com/prodcdir htm), download date: May 29, 1997.
RR	"Industry Briefs", Card News, June 9, 1997, Section: Vol. 12, No. 11.
SS	Riordan, Teresa, "Patents; A novel approach to making a better spermicide harks back to some old-fashioned methods", The New York Times, June 9, 1997, Section D, Pg. 2, Column 1, Business/Financial Desk.

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